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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/315,962 | 05/21/1999 | DANNY A. MCCALL | 01096.81110 | 7176 |

29360 7590 07/30/2003

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EXAMINER

LEE, MICHAEL

ART UNIT PAPER NUMBER

2614

DATE MAILED: 07/30/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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| ART UNIT | PAPER |
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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on 1/17/03 is not fully responsive to the prior Office action because applicant fails to provide an argument how Kamejima is overcome by presenting the new claims despite the original claims are canceled. By canceling the original claims and adding new claims, it does not necessarily mean the prior art rejection is overcome. The newly added claims are considered either a broader or narrower version of the originally elected invention but they are nonetheless pertaining to Kamejima. Therefore, in order to receive proper consideration, a concise explanation how the claims avoid Kamejima is required. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

M. Lee
Primary Examiner
Art Unit: 2614